

REMARKS/ARGUMENTS

Status

This is a reply to the Office Action mailed March 9, 2009, in which the following rejections were set forth: Claims 24 and 27 are rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention; and, Claims 24 and 27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,433,015, issued to Mulkens et al. (“*Mulkens*”).

By this reply, no claims have been added, amended, or canceled; as such, Claims 24 and 27 are pending in this application.

Claim Rejections – 35 U.S.C. § 112, ¶2

Applicant asserts that the term “different liquid” has a clear meaning to a person having ordinary skill in the art. That is, a person having ordinary skill in the art would construe “different liquid” as denoting a liquid that is chemically different from another liquid. For such chemically different liquids—or generally substances—it does not matter whether the liquid is pure, i.e., it contains only a single kind of molecule, or whether the liquid is a composition, i.e., it comprises different kinds of molecules. For example, two quantities of water are different if the percentage of heavy water differs by a significant amount. These quantities however would not be different if only the temperature or the pressure were different. Support for Applicant’s claims can be found in original Claim 14 as well as at page 8, third paragraph, of the translated priority document.

Claim Rejections – 35 U.S.C. § 102

Applicant asserts that *Mulkens* is not prior art with respect to the present patent application. That is, *Mulkens*’ earliest effect priority date for prior art purposes is October 12, 2004, which is subsequent to the international filing date of which the present application is permitted to claim priority. As such, *Mulkens* does not predate the filing date of the present invention and therefore is not prior art.

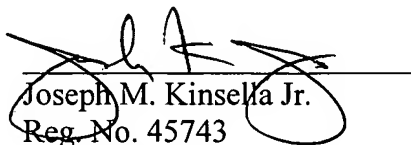
CONCLUSION

In view of the above, Applicant respectfully requests that the rejections of Claims 24 and 27 be removed and that all pending claims be allowed to issue.

Applicant believes that no other fees are due, however should any further charges or fees in connection with this Reply be required, the Commissioner is herein authorized to debit such amount from Applicant's Deposit Account No. 50-0545.

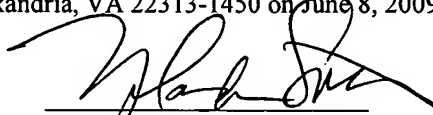
Respectfully submitted,

Dated: June 8, 2009


Joseph M. Kinsella Jr.
Reg. No. 45743
One of Applicant's Attorneys
(312) 226-1818

CERTIFICATE OF MAILING

I hereby certify that this correspondence is
being deposited with the United States Postal
Service as First Class Mail in an envelope
Addressed to: Mail Stop Amendment
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on June 8, 2009


Yolanda Solis